

REMARKS

This Reply and Amendment is intended to be completely responsive to the non-final Office Action.

Claims 1-21 are pending in this application. Claims 9-21 are allowed. Claims 1-8 are rejected under 35 U.S.C. § 112 ¶ 2, but have been indicated to be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112 ¶ 2. Independent Claims 1, 9 and 16, and dependent Claims 2-8, 10-15 and 17-21 have been amended for clarity.

Allowed/Allowable Subject Matter

In Section 6 of the Office Action, the Examiner stated that “Claims 9-21 are allowed.” The Applicants thank the Examiner for the allowance of Claims 9-21.

In Section 7 of the Office Action, the Examiner stated that “Claims 1-8 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. § 112, second paragraph.”

The Applicants have amended Claims 1-8 to address the rejections under 35 U.S.C. § 112 ¶ 2. The Applicants respectfully request reconsideration and allowance of Claims 1-8.

Specification Objections

In Section 1 of the Office Action, the Examiner objected to the Specification. The Examiner stated “on page 2, line 25, ‘3A-3D’ should be ‘3a-3d’ since the letters in the figures are not capitalized but are instead lower case” and on “page 4, line 9, ‘3D’ should again be ‘3d’”.

The Applicants have amended the Specification to replace the reference to Figures 3A, 3B, 3C and 3D, with 3a, 3b, 3c and 3d (respectively).

The Applicants believe that the objection to the Specification has been overcome and respectfully request withdrawal of the objection to the Specification.

Claim Objections

In Section 2 of the Office Action, the Examiner objected to the claims because they include reference characters which are not enclosed within parentheses.

The Applicants have amended Claims 1-21 for formatting and clarity. The recitation of reference characters has been removed from Claims 1-21.

In Section 3 of the Office Action, the Examiner objected to Claim 1 because of the following informality “on line 10, ‘articulating’ should apparently be ‘articulation.’”

The Applicants have amended Claim 10 to replace “articulating” with “articulation.”

The Applicants respectfully submit that the objection to the claims has been overcome. The Applicants respectfully request reconsideration and allowance of the claims.

Claim Rejections – 35 U.S.C. § 112 ¶ 2

In Section 5 of the Office Action, the Examiner rejected Claims 1-8 under 35 U.S.C. § 112 ¶ 2 as being indefinite. The Examiner stated “Claim 1 recites the limitation ‘the seating assembly’ in line 4” and that “there is insufficient antecedent basis for this limitation in the claim.”

The Applicants have amended independent Claim 1 for clarity. Claim 1 (as amended) is in Jepson format and recites (in combination with other limitations) “a seating assembly for a vehicle ... the seating assembly comprising ...”. Dependent Claims 2-8 (as amended) depend from independent Claim 1 (as amended).

The Applicants believe that Claims 1-8 (as amended) are now in condition for allowance. The Applicants respectfully request reconsideration and allowance of Claims 1-8.

* * *

The Applicants respectfully submit that each and every outstanding objection and rejection to the pending claims has been overcome, and the Application is in condition for

allowance. Independent Claims 1, 9 and 16 have been amended, and dependent Claims 2-8, 10-15 and 17-21 have been amended. Claims 9-21 have been allowed. The Applicants respectfully request allowance of Claims 1-8.

The Examiner is invited to contact the undersigned by telephone if the Examiner believes that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

Date OCTOBER 9, 2003

By 

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